

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

**MAC East, LLC,
an Alabama Limited Liability
Corporation,**

PLAINTIFF

vs.

**SHONEY'S INC.,
a Tennessee corporation,**

DEFENDANT

CASE No. 2:05-cv-1038-MEF

PLAINTIFF'S EXHIBIT LIST

Comes now Plaintiff and submits the following list of exhibits which may be introduced into evidence at the trial of the above-styled matter:

MAC0001 pg 1
Closing Statement: total net proceeds to Shoney's
Trial Exhibit #: 01
Exhibit # : 01



PX02-001 pg 1
Proposed Sub Lease Agreement
Trial Exhibit #: 02
Exhibit # : 02



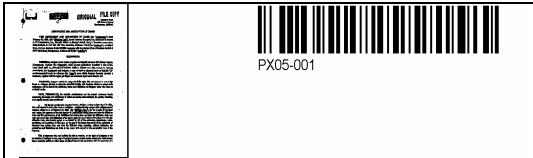
PX03-001 pg 1
May 9, 2005 Letter to Donna Power from McClinton & Company
Trial Exhibit #: 03
Exhibit # : 03



PX04 pg 1
Shoney's Corporate Structure
Trial Exhibit #: 04
Exhibit # : 04



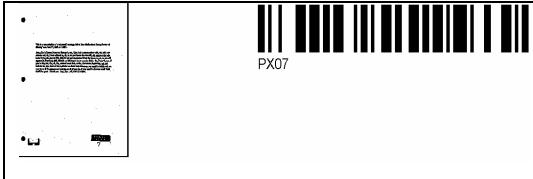
PX05-001 pg 1
Original Assignment Assumption of Lease
Trial Exhibit #: 05
Exhibit # : 05



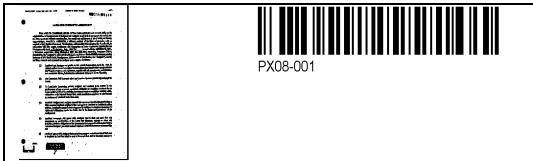
MAC0002 pg 1
Recorded Assignment and Assumption of Lease
Trial Exhibit #: 06
Exhibit # : 06



PX07 pg 1
Voice mail transcript w/Donna Power w/tapes of conversation.
Trial Exhibit #: 07
Exhibit # : 07



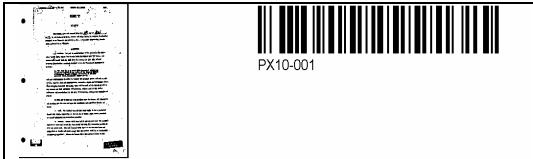
PX08-001 pg 1
Landlord Consent to Assignment
Trial Exhibit #: 08
Exhibit # : 08



MAC0041 pg 1
May 23, 2005 Fax to Donna Power from Joan Surles
Trial Exhibit #: 09
Exhibit # : 09



PX10-001 pg 1
Exhibit A: Ground Lease
Trial Exhibit #: 10
Exhibit # : 10



MAC0072 pg 1
June 24, 2005 Letter to Shoney's Inc. from Jeff Blitz
Trial Exhibit #: 11
Exhibit # : 11



MAC0074 pg 1
May 9, 2005 Fed Ex to Donna Power from McClinton Files
Trial Exhibit #: 12
Exhibit # : 12



MAC0129 pg 1 May 6, 2005 Letter to Andy Theodorakis Trial Exhibit #: 13 Exhibit # : 13	  MAC0129
MAC0195 pg 1 April 7, 2005 Letter to Andy Theodorakis Trial Exhibit #: 14 Exhibit # : 14	  MAC0195
MAC0197 pg 1 Lease Information Sheet Trial Exhibit #: 15 Exhibit # : 15	  MAC0197
MAC0206 pg 1 Photos/Menus City Cafe Trial Exhibit #: 16 Exhibit # : 16	  MAC0206
MAC0212 pg 1 Building Available for Lease Trial Exhibit #: 17 Exhibit # : 17	  MAC0212
DX06-001 pg 1 Proposal to Sub-Lease Signed by Theodorakis Trial Exhibit #: 18 Exhibit # : 18	  DX06-001
PX18A1 pg 1 April 6 2005 Proposal Trial Exhibit #: 18A Exhibit # : 18A	  PX18A1
MAC223 pg 1 Insurance Quote for City Cafe Trial Exhibit #: 19 Exhibit # : 19	  MAC223
PX20 pg 1 Out of Pocket Losses w/o Staff Time Trial Exhibit #: 20 Exhibit # : 20	  PX20

Respectfully submitted this 20th day of December, 2006.

/s/ Dennis R. Bailey
Dennis R. Bailey (744845)
Attorney for Plaintiff MAC East, LLC.

Of counsel:

RUSHTON, STAKELY, JOHNSTON & GARRETT, P.A.
184 Commerce Street
Post Office Box 270
Montgomery, Alabama 36101-0270
(334) 206-3234 (phone)
(334) 481-0031 (fax)
drb@rsjg.com (e-mail)

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon the following counsel of record by placing a copy of same in the United States Mail, first class postage prepaid, on this the 20th day of December, 2006.

Mr. James N. Nolan
Mr. Paul O. Woodall, Jr.
Walston, Wells & Birchall, LLP
1819 Fifth Avenue North
Suite 1100
Birmingham, Alabama 35203

/s/ Dennis R. Bailey
Of counsel